

**EXHIBIT 4**

1 TERRY GODDARD, Attorney General  
2 Firm Bar No. 14000  
3 Cameron H. Holmes #004983  
4 Section Chief Counsel  
5 Financial Remedies Section  
6 1275 West Washington Street  
7 Phoenix, Arizona 85007-2926  
8 Attorneys for the STATE  
9 CRMRacketeering@azag.gov

**FILED**  
*10/18/06 8:15 am.*  
MICHAEL K. JEANES, Clerk  
By C. D. Miller  
Deputy

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

10 In the matter of:  
11 The proceeds of Wachovia Corporation  
12 Direct Deposit Account Numbers:  
13 2000026084477, 2000026090429,  
14 2000026090432 and 2000026096326,  
15 in the name of Majestic Capital Management

Case No: CV 2005-008698

(Cross Reference # SW 2005-001633)

**ORDER DIRECTING TRANSFER OF  
RELEASED FUNDS RE: ACCOUNT #  
2000026084477**

17 The State of Arizona having released the property described as the proceeds of Wachovia  
18 Corporation Direct Deposit Account Number 2000026084477, together with all interest attributable  
19 to such proceeds from the date of seizure, pursuant to A.R.S. §13-4306(A):  
20

21 **IT IS ORDERED** that the State Treasurer of the State of Arizona shall cause to be issued a wire  
22 transfer of the proceeds of Wachovia Corporation Direct Deposit Account Number  
23 2000026084477, together with all interest attributable to such proceeds to:  
24  
25

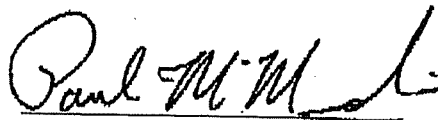
1 Federal Reserve Bank of NY  
2 ABA# 021030004  
3 ALC# 00008154

4 33 Liberty Street  
5 NY, NY 10045

6 Account Name: United States Marshals Service

7 Deposit Reference: CATS# 05-FBI-004712 "Bayou Group"

8 DONE IN OPEN COURT this 16<sup>th</sup> day of October, 2006.

9  
10 

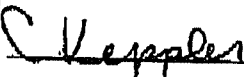
11 THE HONORABLE PAUL MCMURDIE  
12 JUDGE OF THE SUPERIOR COURT

13 ORIGINAL and 3 copies lodged  
14 this 16<sup>th</sup> day of October, 2006, with:

15 THE HONORABLE PAUL MCMURDIE  
16 Maricopa County Superior Court  
17 101 West Jefferson, ECB 413  
18 Phoenix, AZ 85003

19 Upon signing/filing of the Order,  
20 conformed copies were mailed  
21 by the Court to:

22 Cameron H. Holmes  
23 Attorney General's Office  
24 Financial Remedies Section  
25 1275 W. Washington  
26 Phoenix, AZ 85007



## **EXHIBIT 5 – A**

Investor Name	Adversary Proceeding Number	Total Investments	Total Redemptions	Profits Returned
UT Medical Group Inc. Basic Pension Plan	06-08292-ash	\$2,000,000	\$2,432,847	\$432,847
Steve Rubin	06-08391-ash	\$500,000	\$566,600	\$66,600
Daisy Family LP	06-08397-ash	\$420,000	\$514,400	\$94,400
Chula Partners LP	06-08399-ash	\$1,000,000	\$1,018,100	\$18,100
The David L. Lieb Foundation Inc.	06-08417-ash	\$475,000	\$535,600	\$60,600
Harris & Arlene Kaplan	06-08393-ash	\$400,000	\$453,200	\$53,200
Prosperity Inc.	06-08405-ash	\$1,000,000	\$1,052,300	\$52,300
Keith Arroyo	06-08425-ash	\$250,000	\$297,178	\$47,178

b. Settlement of Adversary Proceeding Commenced by Bayou Management

The Debtors have entered into one (1) settlement where the defendant has agreed to return the entirety of the Redemption Payment received from Bayou Management in the amount of \$674,283. After notice and a hearing, the Bankruptcy Court approved this settlement pursuant to Bankruptcy Rule 9019 and the Debtors received \$674,283 for the benefit of Bayou Management.

ERF Hedge Fund LLC was an investor in the Bayou Off-Shore Funds in the amount of \$6,000,000 and also received a Redemption Payment from Bayou Off-Shore Funds in the amount of \$5,642,500 which it did not return as part of this settlement because the Appointment Order specifically preserved and reserved causes of action such as this for the Liquidators of the Off-Shore Funds.

This defendant did not retain a claim against Bayou Management on account of the payment to the Debtors pursuant to Bankruptcy Code § 502(h) because there was no consideration to Bayou Management for the Redemption Payment made and thus no resulting claim against Bayou Management. However, the settlement agreement does not preclude this defendant from being recognized as a victim and maintaining a claim against Government Funds held by the United States for that portion of the settlement payment that represented a repayment of its principal Investment in the Bayou Off-Shore Funds.

c. Settlements Requiring Complete Return of Principal and Fictitious Profits

The Debtors have entered into one (1) settlement where the Redeemer Defendant agreed to disgorge the entirety of the Redemption Payment it received from the Debtors -- \$713,000, including the entire portion of the Redemption Payment equal in amount to the principal Investment and the entire portion of the Redemption Payment consisting of purported profits on that investment. In essence, after payment of the settlement amount, Tom and Nancy Juda Living Trust will be placed in the same position as all other Investor Creditors and will have an Allowed Class 3 Investor Creditor Unsecured Claim against the Bayou Hedge Funds in the amount of its principal Investment. In addition, the settlement agreement does not preclude this defendant from being recognized as a victim and maintaining a claim against Government Funds held by the United States for that portion of the settlement payment equal in amount to the Investment. This settlement was approved by the Bankruptcy Court, after notice and a hearing. One of the Redeemer Defendants filed a notice of appeal from the Bankruptcy Court's order approving the settlement agreement; the appeal was subsequently withdrawn.

d. Settlements Requiring Return of Fictitious Profits and 50% or More of Principal

The Debtors have entered into 66 settlements where the Redeemer Defendant agreed to disgorge at least 50% of the Redemption Payment equal to the Redeemer Defendant's principal Investment and the entire portion of the Redemption Payment consisting of purported profits, if any, on that Investment.

Each of these Redeemer Defendants has waived any and all claims against the Debtors' Estates and is not an Investor Creditor. These settlements do not preclude these Redeemer Defendants from being recognized as victims and maintaining a claim against the Government Funds for that portion of the settlement payment equal in amount to the Investment. Separate orders were entered by the Bankruptcy Court approving these settlements, after notice and a hearing. In total, these settlement agreements have resulted in the recovery of \$28,767,713 for the benefit of the Debtors' Estates. The Debtors entered into settlement agreements requiring the return of at least half of a Redeemer Defendant's Redemption Payment of principal and all of the fictitious profits, if any, as follows:

Investor Name	Adversary Proceeding Number	Total Investments	Total Redemptions	Profits Returned	Principal Returned	Settlement Amount	Percentage of Principal Returned
Eric & Diane Garfinkel	06-08294-ash	\$2,000,000	\$2,081,000	\$81,000	\$750,000	\$831,000	50%
Antonia M. Marsden Revocable Trust	06-08317-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Barrett & Claire Klein	06-08319-ash	\$250,000	\$305,629	\$55,629	\$125,000	\$180,629	50%
Daedalus Financial Corporation	06-08322-ash	\$250,000	\$320,383	\$70,383	\$125,000	\$195,383	50%
Dale A. Sauser Trust	06-08323-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Doug Brown II	06-08324-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
John J. Shea Jr.	06-08326-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Elizabeth S. Gile-Ratcliff	06-08327-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Gary & Judith Hegewald	06-08330-ash	\$250,000	\$305,629	\$55,629	\$125,000	\$180,629	50%
Graves Family Partnership	06-08331-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
J. Robert Routt	06-08334-ash	\$250,000	\$305,629	\$55,629	\$125,000	\$180,629	50%
Inherited IRA of John Sammond Marital Trust #1 and Diana Denholm Sammond	06-08335-ash	\$719,997	\$870,723	\$150,726	\$359,999	\$510,725	50%
Wesley E. Mudge Trust	06-08345-ash	\$670,000	\$754,376	\$84,376	\$210,000	\$294,376	50%
Volunteer, LLC	06-08346-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Thomas Swanson	06-08347-ash	\$300,000	\$356,370	\$56,370	\$125,000	\$181,370	50%
Thomas Gardiner	06-08348-ash	\$500,000	\$582,091	\$82,091	\$250,000	\$332,091	50%
Wright Family Capital LP	06-08350-ash	\$1,000,000	\$1,140,660	\$140,660	\$500,000	\$640,660	50%
Zoltan & Marilyn Horvath	06-08351-ash	\$460,000	\$523,372	\$63,372	\$230,000	\$293,372	50%
Ronald A. Bonham & Angela J. Leslie	06-08352-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
Ronald E. & Marilyn Eastman	06-08353-ash	\$100,000	\$120,934	\$20,934	\$50,000	\$70,934	50%
Warren L. & Lynda M. Bauer	06-08354-ash	\$250,000	\$302,326	\$52,326	\$125,000	\$177,326	50%
Walter Ratterman	06-08355-ash	\$250,000	\$305,629	\$55,629	\$125,000	\$180,629	50%
Wintsch Family Trust	06-08356-ash	\$250,000	\$311,031	\$61,031	\$125,000	\$186,031	50%
Ronald & Jenyne Weingart	06-08357-ash	\$250,000	\$305,629	\$55,629	\$125,000	\$180,629	50%
Overkill Investments Inc.	06-08358-ash	\$250,000	\$279,300	\$29,300	\$100,000	\$129,300	50%
Margaret J. Hartzler IRA and Margaret J. Hartzler	06-08359-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
Charles Weidmer Trust	06-08360-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
Meyer Investment Partners and C. Paul Meyer	06-08361-ash	\$400,000	\$440,939	\$40,939	\$200,000	\$240,939	50%
Morris Investment Company	06-08362-ash	\$250,000	\$298,220	\$48,220	\$100,000	\$148,220	50%
Neal & Jean Ross Family Trust	06-08363-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Waldorff Family Trust	06-08364-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
John C. Brunk III, John C. Brunk IRA, and John C. Brunk Rollover IRA	06-08366-ash	\$250,000	\$302,336	\$52,336	\$125,000	\$177,336	50%
John H. Waldock Trust	06-08367-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Raleigh L. Shaklee Trust	06-08369-ash	\$1,000,000	\$1,222,513	\$222,513	\$500,000	\$722,513	50%
Richard A. Lewis and Roberta D. Lewis Trust	06-08370-ash	\$250,000	\$320,383	\$70,383	\$125,000	\$195,383	50%
Dorothy H. Bjurstrom Trust	06-08374-ash	\$250,000	\$305,628	\$55,628	\$125,000	\$180,628	50%
Shangri-La LLC	06-08385-ash	\$1,505,000	\$1,442,099		\$689,599	\$689,599	50%

Investor Name	Adversary Proceeding Number	Total Investments	Total Redemptions	Profits Returned	Principal Returned	Settlement Amount	Percentage of Principal Returned
Insight Multi-Strategy Fund, LLC F/K/A LWM Aggressive Multi-Strategy Fund	06-08386-ash	\$3,500,000	\$3,350,507		\$1,600,507	\$1,600,507	50%
George Crowley	06-08392-ash	\$500,000	\$499,300		\$249,300	\$249,300	50%
Michael & Marilyn Lebowitz	06-08395-ash	\$350,000	\$405,600	\$55,600	\$175,000	\$230,600	50%
Gerald Friesen	06-08396-ash	\$500,000	\$499,300		\$249,300	\$249,300	50%
Canning Limited Partnership	06-08400-ash	\$1,000,000	\$965,400		\$465,400	\$465,400	50%
Terry A. Perl Revocable Trust	06-08402-ash	\$560,000	\$549,400		\$269,400	\$269,400	50%
SGW Holdings LLC	06-08404-ash	\$1,060,000	\$1,029,100		\$499,100	\$499,100	50%
Schilit Family Partnership	06-08406-ash	\$2,175,000	\$2,111,500		\$1,024,000	\$1,024,000	50%
Jewish Federation of Greater Washington	06-08407-ash	\$2,000,000	\$1,914,700		\$914,700	\$914,700	50%
Meyer Mutual Fund LLC	06-08408-ash	\$500,000	\$484,100		\$234,100	\$234,100	50%
Bansal Foundation	06-08409-ash	\$1,000,000	\$957,700		\$457,700	\$457,700	50%
Joseph & Barbara Kampf	06-08410-ash	\$800,000	\$745,400		\$345,400	\$345,400	50%
Ciconia & Co., LLC	06-08411-ash	\$760,000	\$808,500	\$48,500	\$380,000	\$428,500	50%
Gary Brown Revocable Trust	06-08414-ash	\$500,000	\$499,300		\$249,300	\$249,300	50%
Small Family Trust	06-08416-ash	\$1,000,000	\$998,500		\$498,500	\$498,500	50%
Douglas Wolford and Karen Wolford	06-08429-ash	\$1,000,000	\$932,400		\$432,400	\$432,000	50%
DOR Family LLC	06-08436-ash	\$1,000,000	\$1,008,700	\$8,700	\$500,000	\$508,700	50%
Bradley Siegel and Jill Siegel	06-08388 ash	\$250,000.00	\$323,500.00	\$73,500.00	\$125,000	\$198,500	50%
Roseanne Iuculano IRA and Roseanne Iuculano	06-08424 ash	\$300,000.00	\$388,190.00	\$88,190.00	\$150,000	\$238,190	50%
Howard Kra and Howard Kra IRA	06-08426 ash	\$300,000.00	\$351,000.00	\$51,000.00	\$150,000	\$201,000	50%
Lawrence Siegel	06-08427 ash	\$250,000.00	\$303,826.00	\$53,826.00	\$125,000	\$178,826	50%
Gary Frank IRA and Gary Frank	06-08428 ash	\$250,000.00	\$323,435.86	\$73,435.86	\$125,000	\$198,436	50%
Robert Futterman IRA and Robert Futterman	06-08432 ash	\$306,920.49	\$373,070.00	\$66,149.51	\$153,460	\$219,610	50%
Samuel E. Christen	06-08349-ash	\$825,000	\$946,498	\$121,498	\$468,502	\$590,000	57%
Eric & Harriet Rothfeld	06-08433-ash	\$1,500,000	\$1,907,455	\$407,455	\$915,000	\$1,322,455	61%
TAG Master Hedged Equity Fund LLC	06-08489-ash	\$4,800,000	\$5,896,618	\$1,096,618	\$2,928,000	\$4,024,618	61%
Trust Agreement for the Deferral Plan for Senior Executive Officers of Triarc Companies Inc. - F/B/O Peter May	06-08490-ash	\$591,050	\$735,611	\$144,561	\$360,541	\$505,102	61%
Trust Agreement for the Deferral Plan for Senior Executive Officers of Triarc Companies Inc. - F/B/O Nelson Peltz	06-08491-ash	\$1,182,100	\$1,471,222	\$289,122	\$721,081	\$1,010,203	61%
PCM Multi-Strategy LP	06-08492-ash	\$2,650,000	\$3,025,331	\$375,331	\$1,616,500	\$1,991,831	61%

#### 6. Current Status of the Adversary Proceedings

At pretrial conferences held before the Bankruptcy Court on July 30, 2007, the Bankruptcy Court directed that the Adversary Proceedings proceed on a "rocket docket" and directed that all discovery be complete on or before November 5, 2007. The Debtors conducted 56 depositions of the Redeemer Defendants and third parties during this period. The Redeemer Defendants conducted three depositions, including the deposition of the Sole Managing Member. The Debtors proffered the "Expert Witness Report of William K. Lenhart" and the Defendants conducted an expert witness deposition of Mr. Lenhart. On behalf of 25 of the Redeemer Defendants, the Redeemer Defendants represented by the firm of Sonnenschein, Nath & Rosenthal LLP, proffered the "Expert Witness Report of Russell Kranzler" and Freestone Low Volatility Partners LP proffered the "Expert Witness Report of Barry Levine."

## **EXHIBIT 5 – B**

D. Adversary Proceedings Against Redeeming Investors

At the direction of the Sole Managing Member, the Debtors have undertaken a litigation strategy aimed at avoiding and recovering for the benefit of the Debtors and their Estates Redemption Payments made by the Debtors to certain investors who redeemed all or part of their investments in the Bayou Hedge Funds. To that end, the Debtors have commenced and vigorously prosecuted 131 unique adversary proceedings (the "Adversary Proceedings") against such redeeming investors who received payments from the Debtors within two years of the Petition Date (the "Redeemer Defendants"). The history, status, and nature of the Adversary Proceedings are described in more detail below.

1. Commencement of Adversary Proceedings

The Debtors commenced 4 Adversary Proceedings on the Petition Date. Between June 1, 2006 and May 10, 2007, the Debtors commenced an additional 116 Adversary Proceedings against similarly-situated Redeemer Defendants. The Debtors also commenced 11 adversary proceedings that were subsequently voluntarily dismissed.

Of the 131 Adversary Proceedings, 44 Adversary Proceedings remain pending. The Debtors are in the process of finalizing settlement agreements with defendants in 8 of the Adversary Proceedings, and thus there are 36 active Adversary Proceedings. Taken together, these 36 active Adversary Proceedings seek to avoid and recover redemption payments totaling \$94,823,830, including \$85,063,583 in transfers equal in amount to the Redeemer Defendants' principal investment and \$9,760,247 in fictitious profits. In the 66 other Adversary Proceedings, the Debtors have entered into separate settlement agreements with the Redeemer Defendants. The pending Adversary Proceedings are:

DEFENDANT INFORMATION		INVESTMENT INFORMATION			PROFITS
Defendant	Adversary Proceeding Number	Total Investment	Total Redemptions	Total Redemption of Principal on or after 5/30/04	Fictitious Profits
WAM Long/Short Fund II, L.P.	06-08293-ash	\$1,000,000	\$1,175,969	\$1,000,000	\$175,969
Redwood Growth Partners, L.P.	06-08318-ash	\$2,250,000	\$2,916,502	\$1,200,000	\$666,502
Christian Brothers High School Endowment	06-08320-ash	\$1,600,600	\$1,911,322	\$1,600,600	\$310,722
D. Canale Beverages, Inc.	06-08321-ash	\$4,000,000	\$5,240,582	\$1,500,000	\$1,240,582
Fred Montesi IRA and Fred Montesi	06-08329-ash	\$103,652	\$142,005	\$103,652	\$38,353
Helen Yulman Revocable Trust	06-08332-ash	\$450,000	\$480,064	\$450,000	\$30,064
Heritage Hedged Equity Fund LP	06-08333-ash	\$4,625,000	\$6,411,335	\$4,625,000	\$1,786,335
John D. Canale III	06-08336-ash	\$999,980	\$1,254,310	\$999,980	\$254,330
KFI Capital Partners LLC	06-08337-ash	\$400,000	\$456,747	\$400,000	\$56,747
Mary P. Smythe Residuary Trust	06-08338-ash	\$1,250,000	\$1,794,795	\$1,250,000	\$544,795
Mary Jane Pidgeon Sledge	06-08339-ash	\$900,000	\$1,133,001	\$900,000	\$233,001
Mayer & Morris Kaplan Foundation	06-08340-ash	\$600,000	\$722,306	\$600,000	\$122,306
YK Investment Partnership II	06-08341-ash	\$1,000,000	\$1,113,163	\$1,000,000	\$113,163
Marvin E. Bruce Living Trust	06-08368-ash	\$1,775,000	\$2,396,445	\$1,775,000	\$621,445
Freestone Low Volatility Partners LP	06-08373-ash	\$5,800,000	\$6,419,016	\$5,800,000	\$619,016
William Strang	06-08387-ash	\$500,000	\$647,000	\$500,000	\$147,000
Randall M. & Sheryl B. Rothstein	06-08389-ash	\$250,000	\$320,015	\$250,000	\$70,015
Alan Osofsky	06-08398-ash	\$250,000	\$320,015	\$250,000	\$70,015
Madison Capital Advisors Ltd.	06-08403-ash	\$200,000	\$519,734	\$50,000	\$319,734
Highgate Partners LP	06-08412-ash	\$850,000	\$981,100	\$850,000	\$131,100
DW Resources Defined Benefit Plan & Marc Daniels	06-08415-ash	\$250,451	\$324,085	\$250,451	\$73,634
Pomerance Family Trust	06-08418-ash	\$210,000	\$259,700	\$210,000	\$49,700
Michael Mann	06-08419-ash	\$500,000	\$453,900	\$453,900	
Myrna Bennett	06-08420-ash	\$50,000	\$152,700	\$50,000	\$102,700

DEFENDANT INFORMATION		INVESTMENT INFORMATION			PROFITS
Defendant	Adversary Proceeding Number	Total Investment	Total Redemptions	Total Redemption of Principal on or after 5/30/04	Fictitious Profits
H&B Hedge Fund II LLC	06-08422-ash	\$2,000,000	\$2,607,438	\$2,000,000	\$607,438
Marc Fleisher IRA and Marc Fleisher	06-08423-ash	\$250,000	\$323,500	\$250,000	\$73,500
Peter Haje IRA and Peter Haje	06-08430-ash	\$500,000	\$610,995	\$500,000	\$110,995
Kevin Bass	06-08431-ash	\$250,000	\$312,947	\$250,000	\$62,947
Michael Davidson	06-08435-ash	\$250,000	\$320,016	\$250,000	\$70,016
Sterling Stamos Growth Fund, L.P. et al	06-08493-ash	\$29,700,000	\$28,959,200	\$28,591,000	\$367,600
DB Structured Products, Inc.	06-08494-ash	\$16,500,000	\$16,929,200	\$16,500,000	\$429,200
High Sierra Investments	07-08243-ash	\$10,000,000	\$8,300,000	\$8,300,000	
John Barr III IRA and John Barr III	07-08244-ash	\$50,000	\$134,334	\$50,000	\$84,334
Neil D. Cohen	07-08245-ash	\$500,000	\$600,772	\$500,000	\$100,772
Edward & Virginia Sorkin	07-08246-ash	\$250,000	\$326,217	\$204,000	\$76,217
Trail Ridge Flatiron Fund LP	07-08247-ash	\$2,000,000	\$1,600,000	\$1,600,000	

The Debtors have commenced Adversary Proceedings against every Investor of which they are aware who sought and received a full redemption of its Investment during the two-year period prior to the Petition Date. Although the Debtors continue to review their books and records and investigate potential claims against other investors, the Debtors believe that they have sued every Investor who fully redeemed during the two-year period prior to the Petition Date.

The Debtors have not yet commenced adversary proceedings against those Investors who fully redeemed their investments prior to the two-year period prior to the Petition Date. None of these Investors is a creditor on account of the redeemed Investment. Based on a review of their books and records and the Bayou Investor Questionnaires completed by Investors pursuant to the Debtors' Rule 2004 subpoenas (see section E.1 below), the Debtors believe that there are at least 50 such Investors, who in the aggregate received redemption payments totaling \$35,161,479, including \$30,788,434 equal to their principal Investments and \$4,373,045 in fictitious profits. The Debtors continue to review their books and records to identify any other redeeming Investors. The Debtors anticipate commencing adversary proceedings against some or all of such Investors in the upcoming months. Upon the Plan Effective Date, these claims will be transferred to the Bayou Hedge Funds Litigation Trust.

The Debtors have commenced Adversary Proceedings against some, although not all, partial redeemer investors (the "Partial Redeemers"), *i.e.*, those Investors who received Redemption Payments equal to a portion of their principal Investments, but not the entirety of such principal Investment. The determination of whether to commence adversary proceedings against such Partial Redeemers was made on a fact-specific basis taking into account the amount, timing, and sequence of the investments made and redemptions received by such investors.

Except in one case, the beneficial owner and decision maker of each Partial Redeemer against whom the Debtors have commenced an Adversary Proceeding actually sought full redemption of its Investment. Indeed, the Debtors have commenced Adversary Proceedings against every Partial Redeemer who sought full redemption of its Investment within the two-year period prior to the Petition Date, even if such Investor did not ultimately receive Redemption Payments equal to its entire principal Investment. In addition, the Debtors commenced an Adversary Proceeding against one Partial Redeemer who received a partial redemption of 80% of its principal Investment in May 2005, only months prior to the collapse of the Bayou Hedge Funds.

There are eighteen Partial Redeemers that the Debtors have not yet sued. The Debtors are mindful that true Partial Redeemers (those who sought only a partial withdrawal, rather than full